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16 Attorneys for Plaintiff
17 UNITED STATES OF AMERICA

18 UNITED STATES OF AMERICA,

19 Plaintiff,

20 v.

21 KRIS DEAN DRAKAKIS,

22 Defendant.

23 CR No. 23- 00328-JLS

24 STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

25 **CURRENT TRIAL DATE:** 08-22-23
PROPOSED TRIAL DATE: 02-06-24

26 Plaintiff United States of America, by and through its counsel
27 of record, the United States Attorney for the Central District of
28 California and Assistant United States Attorney Reema M. El-Amamay,
and defendant Kris Dean Drakakis ("defendant"), both individually and
by and through his counsel of record, Jelani J. Lindsey, hereby
stipulate as follows:

1. The Indictment in this case was filed on June 30, 2023.

Defendant first appeared before a judicial officer of the court in

1 which the charges in this case were pending on May 23, 2023. The
2 Speedy Trial Act, 18 U.S.C. § 3161, originally required that the
3 trial commence on or before September 8, 2023.

4 2. On July 13, 2023, the Court set a trial date of August 22,
5 2023, and a status conference date of August 11, 2023.

6 3. Defendant is detained pending trial. The parties estimate
7 that the trial in this matter will last approximately two days.

8 4. By this stipulation, defendant moves to continue the trial
9 date to February 6, 2024, and the status conference date to January
10 19, 2024. This is the first request for a continuance.

11 5. Defendant requests the continuance based upon the following
12 facts, which the parties believe demonstrate good cause to support
13 the appropriate findings under the Speedy Trial Act:

14 a. Defendant is charged with a violation of 21 U.S.C.
15 §§ 841(a)(1), (b)(1)(A)(viii), (b)(1)(B)(i), and (b)(1)(A)(vi):
16 Possession with Intent to Distribute Methamphetamine, Heroin, and
17 Fentanyl; 18 U.S.C. § 924(c)(1)(A)(i): Possession of a Firearm in
18 Furtherance of Drug Trafficking Crimes; 18 U.S.C. § 922(g)(1): Felon
19 in Possession of Ammunition. The government has produced discovery
20 to the defense, including approximately 100 pages of written
21 discovery, and video recordings related to the charged crimes.

22 b. Defense counsel is scheduled to be in trial in the
23 following matters:

24 i. Defense counsel is scheduled to go trial on
25 September 12, 2023, United States v. Alexander Tung Cuu Le, CR No.
26 22-492-MCS. Three continuances have been previously granted. The
27 trial is expected to last two to three days.

ii. Defense counsel is currently scheduled to go to trial on September 19, 2023, in United States v. Gabriel Adrian Samaniego, CR No. 22-cr-287-ODW, a felon with a firearm case filed on June 30, 2022. Three continuances have been previously granted. The trial is expected to last five to seven days.

iii. Defense counsel is scheduled to go to trial on October 9, 2023, in United States v. Edwin Cristobal Vera Solorzano, et. al, CR No. 22-00241(A)-SSS, a multi-defendant drug conspiracy case. Three continuances have been granted. It is unlikely that a future continuance will be requested. Counsel likely will be ready to go to trial on the current trial date. The trial is likely to go on the current trial date, if a pretrial resolution to the case cannot be reached. The trial is scheduled to last two to three days.

iv. Defense counsel is set to go to trial on October 17, 2023, in United States v. Rodolfo Chavez, CR No. 23-00141-SPG, an assault on a federal employee resulting in bodily injury case. The parties may likely go to trial on the current trial date if a pretrial resolution cannot be reached. Only one continuance has been granted. The trial estimated to last approximately three days.

v. Defense counsel is set to go to trial on November 07, 2023, in United States v. Jose Balmore Romero, et. al, CR No. 17-278-ODW, which is a complex, multidefendant racketeering case filed on May 10, 2017. The parties will likely not be ready to go trial on the current trial date, if a pretrial resolution cannot be reached. Multiple continuances have been granted. The case is expected to last approximately 20 days.

vi. Defense counsel is set to go to trial on November 28, 2023, in United States v. Deneyvous Jayan Hobson, CR No. 23-

1 00102-FLA, a two-defendant Hobbs Act Robbery case. The parties will
2 likely not be ready to go trial on the current trial date if a
3 pretrial resolution cannot be reached. Only one continuance has been
4 granted. The trial estimated to last approximately four to five
5 days.

6 c. Accordingly, counsel represents that he will not have
7 the time that he believes is necessary to prepare.

8 d. In light of the foregoing, counsel for defendant also
9 represents that additional time is necessary to confer with
10 defendant, conduct and complete an independent investigation of the
11 case, conduct and complete additional legal research including for
12 potential pre-trial motions, review the discovery and potential
13 evidence in the case, and prepare for trial in the event that a
14 pretrial resolution does not occur. Defense counsel represents that
15 failure to grant the continuance would deny him reasonable time
16 necessary for effective preparation, taking into account the exercise
17 of due diligence.

18 e. Defendant believes that failure to grant the
19 continuance will deny him continuity of counsel and adequate
20 representation.

21 f. The government does not object to the continuance.

22 g. The requested continuance is not based on congestion
23 of the Court's calendar, lack of diligent preparation on the part of
24 the attorney for the government or the defense, or failure on the
25 part of the attorney for the Government to obtain available
26 witnesses.

27 6. For purposes of computing the date under the Speedy Trial
28 Act by which defendant's trial must commence, the parties agree that

1 the time period of August 22, 2023 to February 6, 2024, inclusive,
2 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
3 (h)(7)(B)(i), and (h)(7)(B)(iv) because the delay results from a
4 continuance granted by the Court at defendant's request, without
5 government objection, on the basis of the Court's finding that: (i)
6 the ends of justice served by the continuance outweigh the best
7 interest of the public and defendant in a speedy trial; (ii) failure
8 to grant the continuance would be likely to make a continuation of
9 the proceeding impossible, or result in a miscarriage of justice; and
10 (iii) failure to grant the continuance would unreasonably deny
11 defendant continuity of counsel and would deny defense counsel the

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1 reasonable time necessary for effective preparation, taking into
2 account the exercise of due diligence.

3 7. Nothing in this stipulation shall preclude a finding that
4 other provisions of the Speedy Trial Act dictate that additional time
5 periods be excluded from the period within which trial must commence.
6 Moreover, the same provisions and/or other provisions of the Speedy
7 Trial Act may in the future authorize the exclusion of additional
8 time periods from the period within which trial must commence.

IT IS SO STIPULATED.

10 Dated: August 5, 2023

Respectfully submitted,

11 E. MARTIN ESTRADA
United States Attorney

13 CAMERON L. SCHROEDER
Assistant United States Attorney
Chief, National Security Division

15 /s/
16 REEMA M. EL-AMAMY
Assistant United States Attorney

17 Attorneys for Plaintiff
UNITED STATES OF AMERICA

19 I am KRIS DEAN DRAKAKIS's attorney. I have carefully discussed
20 every part of this stipulation and the continuance of the trial date
21 with my client. I have fully informed my client of his Speedy Trial
22 rights. To my knowledge, my client understands those rights and
23 agrees to waive them. I believe that my client's decision to give up
24 the right to be brought to trial earlier than February 6, 2024 is an
25 informed and voluntary one.

JEIANI J. LINDSEY
Attorney for Defendant
KRIS DEAN DRAKAKIS

8-6-2023
Date

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3 I have read this stipulation and have carefully discussed it
4 with my attorney. I understand my Speedy Trial rights. I
5 voluntarily agree to the continuance of the trial date, and give up
6 my right to be brought to trial earlier than February 6, 2024.
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8 KRIS DEAN DRAKAKIS
9 Defendant

10 Date

11 8-6-2023

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